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February 12, 2008

Hon. Lewis A. Kaplan
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Request to amend Case Management Order
Mourzakhanov v. DeWalt, 07-cv-06205(LAK)

Dear Judge Kaplan:

In this products liability case, we aspired to an abbreviated discovery schedule, but despite good faith efforts of all parties, the depositions were just completed today, and important information agreed to be provided during the depositions is being searched for.

Expert disclosure is scheduled for exchange February 15, 2008. Rather than provide incomplete expert reports, it is respectfully requested that the Case Management Order be modified by extending the deadlines for 30 days. Attached is a proposed amended Case Management Order.

I am making this request jointly with counsel for the defendant.

Very truly yours,

John E. Durst, Jr.

Cc: Robert Calinoff, Esq.
Counsel for Defendant